

it appears that the average annual number is about 9. Now, Sir, I have no means of comparing this calculation with the state of morals with reference to this crime, in any of the other capitals of Europe; first, because there is no city in Europe the population of which amounts to a million; and secondly, because there is no city in Europe whence it is practicable to obtain such accurate returns as those which the Committee has been furnished by the City of London: but this I may say, without fear of contradiction, that the calculation shows the security of life against violence in this great metropolis to be, if not complete, as nearly so as can in any place on condition of society be expected. From that calculation it is evident that the chance every year is 500,000 to 1 against the murder of any individual." After some observations with regard to the "security enjoyed" and "restraints imposed," he adds, "it clearly appears, that however the people of England may have been oppressed by distress, and however they may have been driven by indigence to the commission of crimes of minor importance, they have not lost their ancient character for humanity, for repugnance to shedding blood, for abhorrence of cruelty. To that character, untainted by any temptation which the circumstances of the times might have been supposed to generate, they are now, as ever, entitled."

In adverting to the second object, Sir James stated that "the Statutes to which the Committee wished to direct the attention of the House were divisible into two classes, respecting which the Committee propose that two bills shall be introduced in the next session. The first class consists of acts constituting misdemeanors, which having become matters of indifference or nearly so, it is proposed entirely to repeal. The second class consists of facts for the capital punishments comprehended, in which it is proposed to substitute either transportation or hard labor, at the discretion of the Judge, giving that discretion in the most ample manner."

In support of his opinion, that the humane severity of the law encourages rather than repulses crime, he alludes that of Sir Archibald Macdonald, who thinks that "the infliction of capital punishment on crimes, not of the most atrocious nature, renders prosecutors reluctant to proceed, witnesses reluctant to give evidence, and jurors reluctant to convict; and, therefore, the chance which a criminal has of escaping with impunity is greatly increased by the existence of that punishment for such crimes. It is his opinion, that against treason, murder, arson, and crimes of that description the punishment of death ought to be continued; but forty years' experience convinces him, that with reference to crimes unattended with atrocious or violent circumstances, the existence of that punishment is injurious, rather than beneficial to the community." This is further strengthened by the opinion of Doctor Colquhoun, Mr. Mainwaring, and that of the great body of the traders of London and Westminster, who affirmed that though they suffered severely from deceptions on their property by theft and forgery, they were deterred from prosecuting the offenders by the extreme severity of the punishments inflicted for those crimes by the law.—In further confirmation of these facts, and particularly of the increase of the crime of forgery, from the increased severity of the Law, Sir James adds the opinion of Mr. Harmer, the Solicitor in Crown prosecutions at the Old Bailey, on the inadequacy of the present laws taking away life, or the repression of crime. "If I were asked" said Mr. Harmer, "what description of punishments would in my opinion be productive of benefit, I would answer, such as might force the delinquent into a course of discipline totally opposite to his habits. Idleness is assuredly a part of his act—Set him to labor. He is probably debauched, and abstinence would be advantageous to both his mind and his body. Apply it. He has been accustomed to dissolute companionship, separation from whom would essentially ameliorate him. Keep him in solitude. He has hitherto rioted in uncontrolled liberty of action. I propose that he should be subjected to restraint and the observance of proper decorum. Were these or similar suggestions attended to, I have no doubt that the number of criminal offenders would soon be considerably reduced." A variety of other witnesses most clearly exhibited that the public feeling was in opposition to the present code of criminal law; and in particular that the infliction of capital punishment for the rapidly increasing crime of forgery, tended only to diminish the number of prosecutions, and not the frequency of the offence. The Committee proposed by one bill to abolish 35 or more capital felonies, and by the other to consolidate and amend the existing laws respecting forgery. Sir James then concludes,

"I will close my observations by endeavoring to describe what appears to me, from the evidence before the Committee, and from other sources, to be the general opinion of the public on this interesting and important subject. The number of the petitioners whose petitions are on our table, praying for a mitigation of the criminal Law, exceeds 12,000. We have besides the petitions of the Corporation of London, of Norwich, of Portsmouth, &c. We have the petitions of numerous Grand Jurors, and of a large portion of the Clergy. But the petition from the city of London alone, speaking, as it does, the sentiments of the great majority of the metropolis, conveys the opinion and wishes of a much greater number of persons than those I have already mentioned. All the wit-

nesses who have been examined before the Committee concur in declaring that the severity of the law ought to be mitigated, and that such are the sentiments of the majority of those with whom they are acquainted. It is the deliberate opinion of the public at large. It is no popular clamour, likely to subside with the temporary cause which gives it voice. It is the well grounded persuasion of that numerous and respectable class of society, to the soundness of whose sentiments I have endeavored, however feebly, to do justice. It is the decided conviction of all, that it is impossible to execute the laws as they stand at present on our statute book; and I am therefore justified in asserting, that there can be no possibility for any subject to which a wise legislature ought more speedily or more intently to direct its attention."

The article on the Timber duties, which we copy from the Quebec Mercury, seems to evince some intention on the part of His Majesty's Ministers shortly to exact duties on Colonial timber. This is a matter of great moment, as the lumber trade is one of the principal means of making returns to the mother country for the manufactures imported into and consumed in these Provinces. The exacting of a duty would in truth completely put a stop to this trade, which as far as regards those who are engaged in cutting the timber out of our forests, and conveying it to Quebec, is already found to be neither a pleasant nor a very lucrative employment. Any burden, in the shape of a duty, laid on it, would therefore crush it entirely, and greatly reduce the annual imports of British Manufactures. But, since in addition to the injury done to Canada, the destruction of the lumber trade would seriously affect the shipping interests of Great Britain, we are inclined to think that no change of system in this particular will be adopted by the Ministry without mature consideration, and we further feel assured that if it be ascertained by them that the imposition of duties on timber from the Colonies would be detrimental to so large a portion of British subjects, they would not easily be induced to sacrifice the interests to any minor considerations in favor of European powers.

Accounts from England state that through the intrigue of the notorious Hunt, and other Jacobin leaders, large assemblages of people have been collected in various places. At Smithfield, in London, it is stated that upwards of 70,000 people had met, & at Birmingham about 40,000. At these meetings treasonable placards were exhibited, and most violent Resolutions entered into; but from the efficient measures and judicious precautions adopted by the civil authorities to prevent riot and confusion, the leaders were overawed, and the people dispersed of their own accord in a peaceable and quiet manner to their business and homes, where there is no doubt they would remain contented, were it not for a few restless spirits, who, under the pretence of reform, would involve the nation in all the horrors of a sanguinary revolution.

In addition to the melancholy intelligence which it was our painful duty to communicate to our readers last week of the decease of our much lamented late Governor in Chief, His Grace the Duke of Richmond, we now copy the following particulars respecting that mournful event from the Montreal Herald and the Quebec Gazette. Says the Editor of the former, after feelingly and appropriately introducing the subject, "he (His Grace) was taken suddenly ill near Richmond, on the Ottawa river, on the morning of the 26th ultimo; and obliged to seek shelter in a small Log House, about four miles below the village. Doctor GERRATT of the Staff, then at Perth, was sent for immediately on the attack of the disease, but so rapid was its progress that before assistance could be procured he was no more. He died about 8 o'clock on the morning of the 28th. His complaint was of that nature which subjects the frame to the most excruciating pains we can imagine: But under all his distresses, and subject, as he must have been to many deprivations, he bore his severe complaint with that unflinching fortitude which distinguishes the noble and true christian spirit, retaining the full possession of his mental faculties to the last moment of his existence, and so aware was he of his approaching end, that he devoted a considerable portion of his last moments in writing a long letter to his daughter Lady Mary, then in Montreal. The painful task of delivering the said letter devolved on Major Bowles, his Grace's Military Secretary.

"A despatch arrived on Monday morning early, by Major BURKE, from Major Bowles, addressed to Colonel Ready, stating the serious indisposition of His Grace, and on the same evening, about 8 o'clock, Major Bowles arrived at the Mansion House, with the mournful intelligence that his Grace was no more, and that the body had been brought as far as La Chine. It was only then that his Grace's family were apprised of the death of their worthy father. The body arrived in Montreal on the morning of Tuesday the 31st; was deposited in the Government House. It was then put into a leaden coffin, and at half past 7 o'clock conveyed on board the Steam Boat Malham, for Quebec, where, we understand his Grace had expressed a desire to be interred. The remains were accompanied from the Government House to the Steam Boat, by a very numerous procession, composed of all the military, heads of departments, and the civilians, in the following order:

ROYAL ARTILLERY.
BAND OF THE 37th REGT.
MUFFLED DRUMS AND FIFES.
Messrs. Forster & Fry, Undertakers.
The Clergymen and Military Chaplains.

The 37th Regt. with Arms reversed.
The 37th Regt. with Arms reversed.
His Grace's Staff and the Heads of Departments,

Including the Officers of the Garrison, Clergymen, Civilians.

"The whole was conducted with that degree of solemnity befitting the occasion; and although the shortness of the time did not admit of those decorations we have seen on similar occasions, their place was supplied with that deep heart-felt sorrow which was depicted in every countenance present.

"Col. Ready, Col. Cockburn, Comy. Gen. Wood, Major M'Leod, Major Bowles, Sir Charles Saxton, and Capt. Montreuil R. N. accompanied the remains of His Grace in the Malham to Quebec.

"On the arrival of the intelligence of His Grace's decease, the Steam-Boat Swiftsure was dispatched at 5 o'clock in the Morning of Tuesday, along with Mr. Dunn, who was the bearer of the instructions for the requisite preparations at Quebec, and the Body was accompanied by the principal Officers of the Staff on board the Malham in the Evening.

"It deserves to be noticed as a well merited mark of respect for our Lamented Governor in Chief. Immediately on the arrival of the afflictive intelligence of his death, all public amusements were suspended, in the afternoon, on which the body was conveyed to the Steam Boat, all the shops and public offices were shut, and from the nearest estimate that can be formed, the procession was composed of at least 11,000 persons.

"The Lady Sherbrooke we understand is retained to carry down the Family of His Grace, and will proceed to-morrow morning for Quebec."

Quebec, September 2.—His Grace's body, immediately after his death, was conveyed to Montreal. It reached this City last evening in the Steam-Boat Malham, and was removed this forenoon to the Cattle, with the usual military honours, and followed by His Grace's staff, the principal Civil and Military Officers in the City and Garrison, and a great concourse of mourning inhabitants.

NOTICE.
The remains of His Grace the late Governor in Chief and Commander of the Forces, will lay in State at the Chateau St. Lewis until the day of interment of which Public Notice will be given.
Chateau St. Louis.
Quebec, 2d Sept. 1819.

The Interment of His Grace the late Governor in Chief and Commander of the Forces, will take place on Saturday the 4th inst at 6 o'clock, P. M. His Grace's remains will continue in state at the Chateau St. Louis until three o'clock of the same day.
Chateau St. Louis,
Quebec, 2d Sept. 1819.

On Tuesday Evening His Excellency the Lieutenant Governor and Lady Malham arrived from York in the Steam Boat Frontenac, and proceeded immediately in the Charlotte for the Lower Province. His Excellency, we are informed, was superintending the survey of the country near Lake Simcoe, when the express communicated to him the distressing news which has caused his present journey to Quebec.

The unexpected decease of His Grace the Duke of Richmond, as far as we have yet learnt, has excited the most lively sensations of unfeigned grief throughout these Provinces, & has overspread every countenance with a deep and settled gloom. The troops in garrison at this post marched to Church last Sunday in mourning, and without music.

"The spirit still tramp,"
"The spirit stirring dew, the ear-piercing life,"
were mute, and we particularly remembered that the privates as well as the officers of the 70th Regiment, wore sashes on the left arm, in token of respect for the memory of their late beloved Commander.—A most eloquent and impressive discourse, suitable to the occasion, was delivered by the Reverend Mr. Wilson, Acting Chaplain to the Forces.

The Magistrates of Montreal have, at a special meeting, resolved to wear mourning for the space of thirty days, and have requested the inhabitants of that city to join them in thus testifying their respect to the memory of our lamented Governor in Chief.—It will be seen that a similar measure has been adopted by the Magistrates of this place.

In the Upper Canada Herald of Tuesday last, is announced the publication of a new periodical work, entitled THE EVANGELICAL HERALD, the prospectus of which we copy for the information of our readers. The Evangelical Herald professes to be "solely appropriated to the diffusion of Divine truth." As such it must be useful, and ought to be encouraged—and as such we most cordially wish it success. It may be presumed that the Editors would not attempt the publication of such a work without first obtaining some assurance of its favorable reception by the public. We therefore think their undertaking may be considered as an indication that a taste for religious knowledge is fast increasing in the Province, a taste which while it is highly honorable to its inhabitants, must contribute in no small degree to their happiness and comfort. In perusing the prospectus which is now before us of The Evangelical Herald, we observe that no notice is taken of THE CHRISTIAN RECORDER. It was not indeed necessary that it should be noticed; but as The

Christian Recorder is a work entirely devoted to moral and religious subjects, deservedly esteemed for the many judicious selections which it contains, and since its establishment a few months ago, has obtained, and still continues to obtain a more general and extensive circulation than any other periodical work in this Province, we are at a loss to understand what is meant by the expressions "that in the Canadas there was no periodical publication solely appropriated to the diffusion of Divine truth."

"The Editors of The Evangelical Herald have for many years been fully aware of the want of such a work," and "they now come forward to attempt to supply the deficiency." We are disposed, however, to consider these expressions of the Editors rather as proceeding from an oversight at the moment, than from any design to treat the Christian Recorder as "a thing of nought."

We regret to hear that a species of fever has lately made its appearance in several parts of this District, and that a number of individuals in Bellville are now laboring under the disease.

At a special meeting of the Magistrates of the Town of Kingston, at the Court House, the 10th Sept. 1819, It was resolved,

1st, That in consequence of the severe loss the Provinces of Upper and Lower Canada have sustained by the sudden death of his Grace the Duke of Richmond, they will wear mourning for one calendar month from this date.

2nd, That the other inhabitants of Kingston be requested, and they are hereby requested, to join in this just and necessary tribute of respect to the memory of the deceased.

BIRTH.
At St. Johns on the 23d ult. the Lady of Lieut. Siddle 37th Regt. of a son.

DIED.
In London, 10th May, aged 53, CHRISTIANA, Lady of Lieut. Col. Zoult, C. B. and daughter to the Hon. Judge Campbell, of York, Upper Canada.

On the 9th inst. Mr. Patrick McCanniffe, Merchant of this Town, after a lingering sickness, upwards of three months, which he bore with fortitude and resignation to his God, aged 28 years, and much lamented by his Relations and Friends.—

SUICIDE.
AMABLE HEUREUX, Baker of this town, terminated his existence last Monday afternoon, by placing in his mouth the muzzle of a gun, charged with powder and shot, with which he blew out his brains. He is said to be about 25 years of age, of a good character, and a native of the parish of Machiche, in the District of Three Rivers, where his connexions still reside. The Jury returned a verdict of Insanity.

Port of Kingston.

ARRIVED.
Sept. 31 Sch. Gen. Brown, Jas. Flynn.
" Sch. Nightingale, Wm. Wood.
4th Sch. May Flower, J. Patterson.
" Steam Boat Sophia, Vaughn.
6th Sch. Rambler, Rickings.
8th Steam Boat Frontenac, J. McKenzie.
" Steam Boat Sophia, Vaughn.
9th Sloop Coquette, Cummings.
" Sch. Asp. Vullum.

CLEARED.
Sept. 4th Sch. Gen. Brown, Flynn.
5th Sch. May Flower, Patterson.
" Steam Boat Sophia, Vaughn.
6th Sch. Rambler, Rickings.
9th Steam Boat Sophia, Vaughn.
10th Sch. Asp. Vullum.
Steam Boat of the late, Dennis.

PROSPECTUS OF A Monthly Magazine, ENTITLED THE Evangelical Herald.

IT has long been lamented by the friends of Evangelical Truth, and those who have the best interests of Society at heart, that in the Canadas there was no periodical publication solely appropriated to the diffusion of Divine truth, and conveying to our numerous, but widely scattered inhabitants, a knowledge of the state and progress of Religion in our own country, and various parts of the world, and at the same time forming an instructive and entertaining Miscellany for the use of the rising generation.

The Editors of the Evangelical Herald have for many years been fully aware of the want of such a work and the advantage which would result from its circulation, to the Church of Christ and the country at large. They now come forward to attempt to supply the deficiency, and solicit the patronage of the public, and friends of vital godliness, to carry into effect their well meant design.

It is proposed that the Evangelical Herald shall be printed once a month, and shall contain not less than 32 pages, 8vo. neatly executed in letter-press, in the usual form of a magazine. The price not to exceed one shilling each number, (Halifax Currency.)

Besides a variety of useful and entertaining matter, original and selected from British and American periodical publications and authors of acknowledged merit, the Evangelical Herald will exhibit biographical sketches of eminent characters, obituary notices, contain essays and dissertations on moral, theological and philosophical subjects; sacred and profane history will form a compendium of domestic and foreign intelligence, giving an impartial account of revivals of religion, the formation and success of missionary and bible societies, and such institutions as are interesting to the pious and benevolent mind. It will also contain original and selected poetry. The whole forming a volume of practical divinity calculated to promote true piety, by exciting a love of reading,

and at the same time directing the mind to the only pure fountain of religious knowledge, the Holy Scriptures.

No pains will be spared by the conductors of this journal to render it respectable and worthy of public patronage. Every reader who feels interested in the perusal and propagation of scripture truth, will find the pages of the Evangelical Herald faithfully devoted to his service.

Communications (post paid) which may advance the interest and prosperity of the Redeemer's Kingdom, will be thankfully received by the publisher, Mr. H. C. Thomson, Kin. Ron, or by the editor at Brockville, Elizabeth town, and those from the upper part of Canada, by the editor at Frederickburgh and find a ready insertion in this miscellany.

Subscriptions received at the Office of the Upper-Canada Herald
Kingston, September 3d, 1819.

NOTICE.
Montreal Fire Insurance Company's Office,
30th July, 1819.

THE Company having extended its business and protection against losses or damages by Fire, to Upper Canada, now inform the public, that the following persons are authorized Agents of the Company in that Province:

At Kingston, W. M. MITCHELL, Esq.
" York, W. M. ALLAN, Esq.
" Queenston, Messrs. GRANT & KIRBY.
" Amherstburgh, W. M. DUFF, Esq.

The Directors of this infant Institution flatter themselves, from the reductions lately made on their Tariff, that their rates of premiums will be found as reasonable as at any other Office, and they respectfully solicit the patronage of all who wish well to Local Establishments.

By order of the Board.
37m3 J. BLEAKLEY, Secy.

REMOVAL.
THE Subscriber respectfully informs the public that he has removed to the Brick Store, in Store Street, within a few doors of Henry Cassidy's, where he intends following the

TAILORING BUSINESS.
in all its various branches. Any persons pleased to favor him with their custom, may rely on having their work done in the neatest manner, and on moderate terms.
OLIVER W. STEVENS.
Kingston, September 7th, 1819. 38

ALEXANDER ASHER,
Merchant Taylor.
HAS received from Montreal a most choice and excellent assortment of the best West of England superfine Cloths and Cassimeres, with Trimmings, and every thing complete.

A. ASHER informs his friends and the public that he is now working up these cloths, &c. at his old stand, where orders will be thankfully received, and executed on the shortest notice, and on the lowest terms for Cash or short approved credit.
Kingston, Sept. 10, 1819. 37f

WANTED, a person or persons who will undertake to clear twenty acres of BRUSH WOOD, so that it may be ready for seed by the latter end of this month. Enquire at the Post Office.
Kingston, Sept. 6, 1819. 37

COME into the enclosure of L. Herchmer, Esq. near Kingston, about a year ago, a large black (OW) about seven years old, a blaze in her forehead, a small white spot a little under her breast, and on each fore foot, white spots under her belly, white on each flank, both hind legs white, the lower part of her tail white, and a small white spot on the right side of her rump. If she is not claimed by the owner by the 30th instant, she will be sold to defray expences.
Kingston, Sept. 4, 1819. 37

NOTICE.
Books of Subscription for the Bank of Kingston, will be opened at the Director's Room in the Bank of Upper Canada, on the 24th August next, and kept open each day from the hour of ten till three o'clock, until further notice.
Kingston, 27th July, 1819. 31

WHEREAS my wife Hannah has left my bed and board, without any just provocation, this is therefore to forbid all persons harbouring or trusting her on my account, as I will not pay any debts she may contract after this date.
ROBERT ATKINSON.
Kingston 4th Sept 1819. 37w3

TO LET.
A COMMODIOUS HOUSE, near a Doctor Keating's, two stories high, with seven rooms a Kitchen, and a Cellar under the whole, a good yard and stable; also a very good Spring near the house.—For further particulars apply to
JAMES ROBINS.
Kingston, 4th June, 1819. 23

For Sale or to Let,
A TWO story framed House, and a large and commodious stone Store, situate on the water's edge in the centre of the Village of Prescott, on exceedingly advantageous terms to the purchaser or lessee. Enquire at the Office of
CHR. A. HAGERMAN.
Kingston, 26th February, 1819. 9

BLANKS,
For the Courts of Request,
For sale at this Office.

